



MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

Andrew J. Rauchberg
phone: 212-788-0889
fax: 212-788-0940
email: arauchbe@law.nyc.gov

January 24, 2008

BY FAX

Hon. Robert W. Sweet
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1920
New York, New York 10007

Southern
Bleat
USDS
1.28.08

Re: Ieasha S., Maria F., and Olga C.M. v. City of New York and NYC DHS
07 Civ. 8843

Dear Judge Sweet,

I write to respectfully request an extension of time for the defendants to respond to the amended complaint in the above-referenced matter from January 25, 2008 to February 22, 2008. This is the fourth such request defendants have made (the third since the complaint was amended on November 14, 2007 to include claims relating to additional plaintiff Olga C.M.). The original date to respond to the complaint was November 5, 2007, but Your Honor granted defendants' three previous requests for an extension. I have spoken with Plaintiffs' counsel, Kenneth Stephens of the Legal Aid Society, and he has refused to consent to this request.

On December 10, 2007, after an extensive hearing conducted for three days over a four week period, Your Honor denied plaintiff Olga C.M.'s application for a preliminary injunction. In light of that decision and the Court's findings, defendants asked plaintiffs to consider which, if any, claims they might discontinue and which, if any, they wanted to pursue. In this manner, defendants would be apprised of the allegations to which they needed to respond. Through counsel, plaintiffs agreed to make this determination by January 7, 2008, but they only informed me of their decision yesterday. Defendants now respectfully request a final adjournment in order to allow them time to prepare an appropriate response to the amended complaint.

I also write to respectfully request that the pre-trial conference, currently scheduled for February 6, 2008 at 4:30 P.M., be adjourned. I have a conflict at that time, and

respectfully request that if Your Honor grants an adjournment of defendants' response date, the conference be scheduled at some date thereafter.

Thank you for your consideration of this request.

Respectfully,


Andrew J. Rauchberg
Assistant Corporation Counsel

cc: Kenneth Stephens, Esq.
The Legal Aid Society
Homeless Rights Project
199 Water Street, 3rd Floor
New York, New York 10038
(via fax)